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1644

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Schmidt *et al.*

Appl. No.: 09/077,214

Filed: May 26, 1998

For: **Tumor Vaccine and Process for the  
Preparation Thereof**

Confirmation No.: 5745

Art Unit: 1644

Examiner: Schwadron, Ronald B.

Atty. Docket: 0652.1710000/EKS/AJK

**Notice of Appeal From the Examiner to the Board  
of Patent Appeals and Interferences – Large Entity**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated March 4, 2004, in which claims 36, 38-40, 42-44, 48-50, 69 and 70 were finally or twice rejected.

The fee (for a large entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included on PTO-2038 Credit Card Payment Form. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

09/08/2004 HGUTEMR1 00000019 09077214

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330.00 DP

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: September 7, 2004

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